

Attachment 1

To

CABLE & WIRELESS HOLDINGS, INC

Application for Authority to Provide International Facilities-Based and Resold Services
to All International Points

Cable & Wireless Holdings, Inc ("Applicant"), pursuant to Section 214 of the Communications Act of 1934, as amended (47 U.S.C. § 214), and Section 63.18 of the Commission's rules (47 C.F.R. § 63.18), hereby applies for global authority to (1) operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18 (e)(1) of the Commission's Rules, 47 C.F.R. § 63.18 (e)(1) to provide international services to all foreign points as authorized by the Commission and (2) operate as a resale carrier pursuant to the terms and conditions of Section 63.18 (e)(2) of the Commission's Rules to resell and provide the international services of authorized United States common carriers to all foreign points as authorized by the Commission 47 C.F.R. § 63.18 (e)(2). The services sought to be provided by Applicant include international private lines interconnected with the public switched network to the extent permitted by Section 63.18 of the Commission's rules, 47 C.F.R. §63.16, for the provision of international basic switched, private line, data, television, and business services to all international points.

Grant of this application will benefit the U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of Section 214 authority to the Applicant.

Pursuant to Section 63.18 the following information is submitted in support of this application:

(a) The name, address and telephone number of the Applicant is:

Cable & Wireless Holdings, Inc
2350 NW 30th Street
Boca Raton, FL 33431
Tel: 703-472-4402
Email: Sean.Shea@time4lime.com

(b) The Applicant is a corporation organized under the laws of the Commonwealth of Virginia

(c) Correspondence concerning this application should be addressed to:

Sean Shea
Cable & Wireless Holdings, Inc
2350 NW 30th Street
Boca Raton, FL 33431
Tel: 703-472-4402
Email: seanshea@time4line.com

with copies of all correspondence to:

Robert Mazer
4800 Hampden Lane
Bethesda, MD 20814
Tel: 240-482-3710
Facsimile: 240-482-3759
Email: rmazer@rmazer.com

- (d) Applicant has not previously sought authority pursuant to Section 214 of the Communications Act of 1934, as amended.
- (e) The Applicant is herein requesting authority under Section 214 of the Communications Act of 1934, as amended, to operate as a facilities-based and resale international carrier pursuant to the terms and conditions of Section 63.18(e)(1) and (2), 63.21, and 63.23 of the Commission's rules, as well as any and all other rules and regulations of the Commission applicable hereto. The Applicant is herein requesting authority to provide facilities-based international services and to resell the international services of common carriers authorized by the Commission, including international private lines interconnected with the public switched network to the extent permitted by the Commission's rules, for the provision of international basic switched, private line, data, television, and business services to all international points pursuant to Section 63.16.63.18(e)(1) and (2), 63.21, and 63.23 of the Commission's rules, as well as any and all other rules and regulations of the Commission applicable hereto.
- (f) At this time, Applicant does not seek authority to provide service not referenced under paragraph (e) of Section 63.18 of the Commission's rules. 47 C.F.R. 63.18 (e).
- (g) Applicant will use previously authorized facilities to provide the services requested by this Application. Consequently, Applicant is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 74 C.F.R. 1.1306.

- (h) For ownership and interlocking director information, please refer to Attachment 2.
- (i) The Applicant certifies that it is affiliated with the foreign carriers listed by name and destination country in Exhibit A hereto.
- (j) The Applicant certifies that it (1) is not a foreign carrier and (2) does not control a foreign carrier in any destination country in which it seeks to provide international telecommunications services. The Applicant further certifies that it seeks to provide international telecommunications services to certain destination countries in which (3) an entity that owns more than 25 percent of the Applicant or that controls the Applicant, controls a foreign carrier, or (4) two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25 percent of the Applicant and are parties to, or beneficiaries of, a contractual relation affecting the provision of marketing of international telecommunications services in the United States. The foreign carriers and destination countries that are the subject of such affiliation are identified in Exhibit A hereto.
- (k) Each destination country listed in response to paragraph (i), is a member of the WTO unless otherwise noted.
- (l) On routes involving destinations where Applicant is affiliated with a foreign carrier and that carrier is classified as dominant (see Exhibit B hereto) and proposes to resell the international switched services of an unaffiliated U.S. carrier for the purpose of providing international telecommunications services to those destinations, the Applicant will file the requisite quarterly traffic reports for traffic on those routes, as required by Section 43.16 (c) of the Commission's rules, 47 C.F.R. §43.61(c). In all other cases, the Applicant controls carriers that control far less than 50 percent of the relevant international transport and local access markets in the destination foreign countries and the Applicant, therefore, qualifies for a presumption of non-dominance on those routes under Section 63.10 (a)(3) of the Commission's rules (47 C.F.R. §63.10 (a)(3)).
- (m) The Applicant is entitled to non-dominant classification on all routes other than those identified in Exhibit B hereto as requiring dominant status. In all other cases, the Applicant or its affiliated companies controls carriers that control less than 50 percent of the relevant international transport and local access markets in the destination foreign countries. The Applicant, therefore, qualifies for a presumption of non-dominance on these routes under Section 63.10 (a)(3) of the Commission's rules (47 C.F.R. §63.10 (a)(3)).
- (n) The Applicant certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from any foreign carrier with respect to any United States international route where any such foreign carrier possesses market power on the foreign end of the route to affect competition adversely in the U.S. market.
- (o) The Applicant certifies, pursuant to Section 1.2001 through 1.2003 of the Commission's rules (47 C.F.R §§ 1.2001-1.2003), that no party to this application is subject to a denial of Federal benefits

pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. §853a).

- (p) The Applicant desires streamlined processing of this application pursuant to Section 63.12 of the Commission's rules. Streamlined processing is appropriate for this Application under Section 63.12 of the Commission's rules because, for every country for which authority is requested in this Application, either the Applicant (1) has no foreign affiliate; (2) has a foreign affiliate but the country is a member of the WTO and the FCC has already determined that the foreign affiliate lacks market power; (3) has a foreign affiliate but the Applicant qualifies for a presumption of non-dominant treatment under Section 63.10 (a)(3); or (4) has agreed to accept dominant carrier status. Thus, the Applicant is eligible for such streamlined processing because none of the exceptions which would disqualify the Applicant from eligibility as set forth in 63.12 of the Commission's rules are applicable.

In conclusion, the Applicant certifies that all of the information in this application is complete and correct. In view of the information contained herein, the Applicant respectfully submits that it is legally, technically, and financially qualified to provide international resale services and that grant of this application will serve the present and future public interest, convenience and necessity. Accordingly, the Applicant requests that the Commission act expeditiously and favorably on this application.

Exhibit A – List of Foreign Affiliated Carriers

Name of the affiliated carrier	Country in which licensed to offer telecommunications services to the public	WTO Members
Cable and Wireless (Anguilla) Limited (“C&W (WI) Ltd”) Ultimately 100% owned by Cable & Wireless Communications PLC	Anguilla	Yes
Cable & Wireless (Antigua and Barbuda) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Antigua and Barbuda	Yes
Cable & Wireless (South Atlantic) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Ascension Island	Yes
Cable & Wireless (Bermuda) Ltd Ultimately 100% owned by Cable & Wireless Communications PLC Quantum Communications Ltd 40% owned by Cable & Wireless (Bermuda) Holdings Limited which is ultimately 100% owned Cable & Wireless Communications PLC	Bermuda	Yes
Cable & Wireless (BVI) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	British Virgin Islands	Yes
Cable & Wireless (Cayman Islands) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Cayman Islands	Yes
Branch of Cable & Wireless (Diego Garcia) Limited C&W (Diego Garcia) Limited is a Bermudan company which is ultimately 100% owned by Cable & Wireless Communications PLC.	Diego Garcia	Yes
Cable & Wireless Dominica Limited 80% owned by C&W (WI) Ltd which is ultimately 100% owned by Cable & Wireless Communications PLC	Dominica	Yes
Cable & Wireless (South Atlantic) Limited Ultimately 100% owned by Cable & Wireless	Falkland Islands	Yes

Communications PLC		
Fiji International Telecommunications Limited Cable & Wireless Communications PLC ultimately owns 49%	Fiji	Yes
Cable & Wireless Grenada Limited 70% owned by C&W (WI) Ltd which is ultimately 100% owned by Cable & Wireless Communications PLC	Grenada	Yes
Cable & Wireless Guernsey Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Guernsey	Yes
Cable & Wireless Isle of Man Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Isle of Man	Yes
Cable & Wireless Jersey Limited Ultimately 100% owned by Cable & Wireless Communications PLC.	Jersey	Yes
Companhia de Telecomunicacoes de Macau, S.A.R.L Cable & Wireless Communications PLC owns 51%	Macau	Yes
Dhivehi Raaijeyge Gulhun Private Limited (Dhiraagu) 52% owned by CWC Islands Ltd which is ultimately 100% owned by Cable & Wireless Communications PLC	Maldives	Yes
Monaco Telecom S.A.M. Companie Monegasque de Communications S.A.M. ultimately controls 55%, and is ultimately 100% owned by Cable & Wireless Communications PLC.	Monaco	No
Cable & Wireless (West Indies) Limited – the Montserrat business is operated as a branch of C & W (WI) Ltd Ultimately 100% owned by Cable & Wireless Communications PLC	Montserrat	Yes
Cable & Wireless Panama S.A. Cable & Wireless Communications PLC ultimately owns 49%.	Panama	Yes
Branch of Cable & Wireless South Atlantic Limited Ultimately 100% owned by Cable & Wireless Communications PLC	St. Helena	Yes
Cable & Wireless St. Kitts & Nevis Limited 77.2% owned by C&W (WI) Ltd which is ultimately	St. Kitts and Nevis	Yes

100% owned by Cable & Wireless Communications PLC		
Cable & Wireless (St. Vincent and the Grenadines) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	St. Vincent and the Grenadines	Yes
Cable & Wireless (Seychelles) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Seychelles	No – Seychelles is an “observer” Government, however.
Solomon Telekom Company Limited Cable & Wireless Communications PLC ultimately owns 32.57%	Solomon Islands	Yes
Telecommunications Services of Trinidad and Tobago Limited C&W (WI) Ltd owns 49% of TSTT. C&W (WI) Ltd is ultimately 100% held by Cable & Wireless Communications PLC	Trinidad and Tobago	Yes
Cable & Wireless (Turks and Caicos) Limited Ultimately 100% owned by Cable & Wireless Communications PLC	Turks and Caicos	Yes
Telekom Vanuata Limited CWC PLC ultimately owns 50%.	Vanuata	No - an “observer” Government, however.

Exhibit B – Dominant Status¹

Destination Market	Foreign Carriers with Market Power
Anguilla	Cable and Wireless (Anguilla) Limited
Antigua and Barbuda	Cable & Wireless (Antigua and Barbuda) Ltd.*
Ascension Island	Cable & Wireless South Atlantic Limited*
Barbados	Cable & Wireless (Barbados) Ltd.*
Bermuda	Cable & Wireless Bermuda
British Virgin Islands	Cable and Wireless (BVI) Limited*
Cayman Islands	Cable & Wireless (Cayman Islands) Ltd.
Diego Garcia	Cable & Wireless (Diego Garcia) Limited*
Dominica	Cable & Wireless Dominica Limited*
Falkland Islands	Cable & Wireless South Atlantic Limited*
Fiji	Fiji International Telecommunications Limited*
Grenada	Cable & Wireless Grenada Ltd.*
Guernsey	Cable & Wireless Guernsey Ltd
Jamaica	Cable & Wireless Jamaica Ltd.
Macau	Companhia de Telecomunicacoes de Macau, S.A.R.L.
Maldives	Dhiraagu
Monaco	Monaco Telecom S.A.M.*
Montserrat	Cable & Wireless (West Indies) Ltd
Panama	Cable & Wireless Panama S.A.
St. Helena	Cable & Wireless South Atlantic Limited*
St. Kitts and Nevis	Cable & Wireless (St. Kitts and Nevis) Ltd.*
St. Lucia	Cable & Wireless (St. Lucia) Limited
St. Vincent and the Grenadines	Cable & Wireless (St. Vincent and the Grenadines) Ltd.
Seychelles	Cable & Wireless (Seychelles) Ltd
Solomon Islands	Solomon Telekom Company
Trinidad and Tobago	Telecom Services of Trinidad & Tobago
Turks and Caicos	Cable and Wireless (TCI) Ltd.*
Vanuatu	Telecom Vanuatu Limited*

* An asterisk indicates that the name of the foreign carrier providing service has changed since the list was last compiled, or that a successor to that carrier is now providing service.

¹ This list includes all the carriers affiliated with Cable & Wireless Holdings, Inc. ("Cable & Wireless") that appear on the FCC's "List of Foreign Carriers that are Presumed to Possess Market Power in Foreign Telecommunications Markets", DA 07-233, January 26, 2007. Cable & Wireless believes that a number of its affiliated carriers that appear on this list are no longer dominant in the designated market as a result of the introduction of new fixed and mobile competition. However, we do not believe that this Section 214 application is the appropriate vehicle for revisiting the dominant status of any individual destination market. To the extent that the Commission would like to review dominant status of particular carriers, we would urge the Commission to undertake such review in a separate proceeding.

